

EXHIBIT E

Mathew Griffin
1705 Morris Ct
North Wales, PA 19454
330 240 7551

October 21st, 2020

Via Email (ereed@foxrothschild.com)

Eric E. Reed
Fox Rothschild
215 299 2741

Re: Polysciences, Inc. v. Joseph T. Masrud, Civil Action No. 2:20-cv-03649-PBT

Dear Eric,

Without waiving the objections set forth in my original subpoena response, and in follow up to our phone call on October 20th, 2020, the following clarifies my subpoena responses to date.

I continue to object to producing any documents that are in the possession, custody, or control of defendant Masrud and that have been or should be requested from him. As such, the below clarifications relate to documents that are in my sole possession, custody, or control.

I also continue to object to producing any documents that I do not have authority from Serochem to produce, which includes confidential Serochem communications to potential customers that are not relevant to this action as they do not disclose confidential Polysciences information and/or are not with customers that I knew or reasonably believed to be actual or prospective customers of Polysciences. All responses below are subject to this limitation.

I intend to complete any supplemental my production by the end of this week. Please let me know immediately if we have anything further to discuss.

Request No. 1.

All documents and things concerning this Action, including communications to any Persons other than your counsel.

Further Response to Request No. 1.

This request is too broad for a reasonable response. I have produced documents responsive to your specific requests.

Request No. 2.

All documents and things, including communications and agreements, exchanged between Defendant, you and/or Serochem and any Persons concerning Serochem's PEI Products.

Further Response to Request No. 2.

This request is overbroad as it calls for the production of all communications that reference Serochem's PEI products regardless of whether they are relevant to this action. I have produced my texts with defendant Masrud and Muluken Taye, am producing additional communications with Muluken Taye, and will produce any communications with testing facilities in my sole possession. I have authority from Serochem to produce any additional Serochem communications that contain or disclose Polysciences' confidential or proprietary information. After a reasonable search, I have confirmed that I do not have any such communications.

Request No. 3.

All documents and things, including communications, agreements, certifications, methods and protocols, exchanged between you, Defendant and/or Serochem and any supplier(s) or manufacturer(s) of Serochem's PEI Products.

Further Response to Request No. 3.

I have no responsive documents.

Request No. 4.

All documents and things concerning the design and development of Serochem's PEI Products, including but not limited to, documents and communications concerning the decision to develop each of Serochem's PEI Products.

Further Response to Request No. 4.

Responsive documents were produced by Masrud. After a reasonable search, I am producing herewith any additional documents in my sole possession.

Request No. 5.

All documents sufficient to identify the entities or Persons involved in the development, design, testing, engineering, manufacturing, marketing, and sales of each Serochem PEI Products.

Further Response to Request No. 5.

I do not have authority to produce Serochem marketing or sales communications unless either they are with customers I knew or reasonably believed were customers of Polysciences during my tenure (none exist) or they contain or disclose Polysciences' confidential or proprietary information (none exist). I will produce any communications with testing facilities in my sole possession. Other than these documents and the communications that I have already produced or am producing herewith, I have ascertained that after a reasonable search, I do not have any documents responsive to the remainder of this request in my sole possession, custody or control.

Request No. 6.

All documents relating to the manufacture of Serochem's PEI Products, including protocols and methods of making and using Serochem PEI Products.

Further Response to Request No. 6.

Responsive documents were produced by Masrud. After a reasonable search, I do not have any additional responsive documents in my sole possession, custody or control other than those that I agreed to produce in response to Request No. 4.

Request No. 7.

All documents and things concerning the advertising, marketing, promotion, sale, or commercialization of any of Serochem's PEI Products.

Further Response to Request No. 7.

All documents regarding the sale of Serochem's PEI Products have been produced by Masrud. I do not have any advertising documents in my sole possession, and I do not have authority to produce marketing or sales documents, including communications with potential Serochem customers, unless either they involve communications with customers I knew or reasonably believed were customers of Polysciences during my tenure (none exist) or they contain or disclose Polysciences' confidential or proprietary information (none exist). I have ascertained that after a reasonable search, I do not have any documents responsive to the remainder of this request in my sole possession, custody or control.

Request No. 8.

All communications between you, Masrud and/or Serochem and any entity or individual known or reasonably known by Masrud to be or have been a Polysciences customer or Polysciences prospective customer.

Further Response to Request No. 8.

I cannot respond to this request because I do not have sufficient information about what defendant Masrud knows or believes. This confirms, however, that I have no communications

in my possession with customers that I knew or reasonably believed were actual or prospective customers of Polysciences.

Request No. 9.

All documents or communications referring to Polysciences or Polysciences' PEI Products or information created or controlled by Polysciences.

Further Response to Request No. 9.

This request is too broad for a reasonable response. In response to this request I will produce all responsive email exchanges between my personal email address and a Polysciences email address from 2015 to present as well as the following documents in my sole possession, custody, or control: (a) any responsive post-employment communications containing or disclosing Polysciences' confidential or proprietary information; (b) post-employment communications with customers that I knew or reasonably believed were actual or prospective customers of Polysciences (none exist); and (c) any documents on any of my electronic devices and/or in any cloud storage sites under my control that contain Polysciences' confidential or proprietary information.

After a reasonable search I am unable to locate any confidential Polysciences information (other than my email exchange with Leena Thuruthippallil) in hard copy or on any personal computer, external hard drive, email account or cloud storage account in my sole possession, custody or control. The email with Ms. Thuruthippallil is being produced herewith.

Request No. 10.

All documents and things concerning or relating to any comparison of any of Serochem's PEI Products to any other product, including but not limited to Polysciences' PEI Products.

Further Response to Request No. 10.

I do not have authority from Serochem to produce confidential communications with potential Serochem customers that do not disclose confidential Polysciences information and/or are not with customers that I knew or reasonably believed to be actual or prospective customers of Polysciences. I will produce all other responsive documents in my sole possession, custody, or control.

Request No. 11.

All Documents and things concerning any attempt by you, and/or Serochem to develop or create a product contain PEI.

Further Response to Request No. 11.

Responsive documents have been produced. I will produce any additional responsive documents in my sole possession.

Request No. 12.

All documents and things concerning information or materials concerning Polysciences and/or Polysciences' PEI Products that were available to you or created, maintained or obtained by you in connection with his [sic] work with Polysciences in employment, consulting or any other capacity.

Further Response to Request No. 12.

I will produce any emails in my possession that contain Polysciences' confidential information. After a reasonable search I am unable to locate any additional confidential Polysciences information in hard copy or on any personal computer, external hard drive, email account or cloud storage account in my possession, custody or control.

To the extent that Polysciences is unwilling to accept this representation, please see the proposed forensic review offered in responsive to Request No. 14.

Request No. 13.

All documents and things reflecting or referring to any meetings you had with any persons at Polysciences from 2015 to the present, including, without limitation any meeting notes, communications between you and any persons at Polysciences.

Further Response to Request No. 13.

After a reasonable search, the only relevant responsive documents that are in my sole possession custody or control that are my day planners. To avoid the production of over 500 pages, I will produce relevant responsive images of my day planners from January 1, 2019 through August 30, 2019.

Request No. 14.

All documents and things concerning Polysciences' PEI Products in you's [sic] possession, in hard copy or electronic version including, without limitation, any and all documents obtained from any Polysciences server, document management system, email account, personal computer, external hard drive, cloud storage.

Further Response to Request No. 14.

This request is overbroad as it seeks any document that references Polysciences' PEI products whether or not the document is relevant to this litigation. For example, it would call for the production of public documents referencing Polysciences' PEI Products. I will produce any emails in my possession that contain confidential information regarding Polysciences PEI Products. After a reasonable search I am unable to locate any additional confidential Polysciences information in hard copy or otherwise on any personal computer, external hard drive, or cloud storage account in my possession, custody or control.

To the extent that Polysciences is unwilling to accept this representation I am willing to offer my computer, external hard drives, and cloud storage accounts for forensic review for the purpose of identifying any confidential or proprietary Polysciences information contained therein. However, given that I am a third-party to this action, Polysciences made no effort to scrub my devices/storage sites when I resigned from Polysciences, and I have already conducted a reasonable review for responsive information, any such forensic review should be conducted entirely at Polysciences' expense. This includes, without limitation any associated attorney's fees incurred by me in ensuring that the forensic review and any associated production is limited to the identification, production, and removal of any confidential Polysciences' information. To limit and/or avoid attorneys' fees, I am willing to sit with a neutral forensic effort pursuant to a mutually agreed upon protocol that is reasonably tailored to capture only Polysciences' confidential information to accomplish this goal.

Request No. 15.

All documents and things concerning Polysciences customers, including, without limitation, any and all customer lists, contact names, transaction records and communications.

Further Response to Request No. 15.

I will produce any responsive emails in my possession that contain Polysciences' confidential information. After a reasonable search I am unable to locate any further relevant responsive confidential Polysciences information in hard copy or otherwise on any personal computer, external hard drive, or cloud storage account in my possession, custody or control.

To the extent that Polysciences is unwilling to accept this representation, please see the proposed forensic review offered in responsive to Request No. 14.

Request No. 16.

All documents and things concerning information obtained from or supplied by Polysciences and downloaded to drop box or any other data storage and retrieval system including personal computers, external hard drives or data storage devices.

Further Response to Request No. 16.

After a reasonable search I am unable to locate any Polysciences information (other than information from Polysciences' website) in hard copy or on any personal computer, external hard drive, email account or cloud storage account in my possession, custody or control.

To the extent that Polysciences is unwilling to accept this representation, please see the proposed forensic review offered in responsive to Request No. 14.

Request No. 17.

All documents and things concerning any communications between Masrud and you from January 1, 2018 until the present.

Further Response to Request No. 17.

I have already produced all text messages available to me between me and defendant Masrud. After a reasonable search, I do not have any further responsive documents in my sole possession, custody or control.

Request No. 18.

All documents and things mentioning, discussing or concerning Serochem.

Further Response to Request No. 18.

This request is too broad for a reasonable response. I have produced documents responsive to your specific requests.

Request No. 19.

All PEI product formulations, PEI test data or PEI product performance information.

Further Response to Request No. 19:

All responsive documents in my sole possession have been or will be produced.

Request No. 20.

All communications mentioning or referring to Polysciences or any Polysciences' products.

Further Response to Request No. 20:

This request is too broad for a reasonable response. I have produced documents responsive to your specific requests.

Request No. 21.

All agreements relating to or referring to Polysciences or Serochem.

Further Response to Request No. 21:

I have already produced my contractual agreement with Polysciences. Masrud produced my Operating Agreement with Serochem. After a reasonable search I do not have any further relevant responsive documents in my sole possession, custody or control.

Request No. 22.

All documents referring or relating to any PEI containing Products from January 1, 2018 until the present.

Further Response to Request No. 22:

This request is too broad for a reasonable response. I have produced documents responsive to your specific requests.

Request No. 23. All employment agreements entered to by you from January 1, 2018 until the present.

Further Response to Request No. 23:

I will produce all responsive documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Mathew Griffin", written in a cursive style.

Mathew Griffin

Cc: Julianne Peck